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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CHIP-TECH, LTD.,

Plaintiff, and on behalf of all
others similarly situated,

v.

PANASONIC CORPORATION, et al.,

Defendants.

Lead Case No. 3:14-cv-03264-JD

**PLAINTIFFS' ADMINISTRATIVE MOTION
TO CONSIDER WHETHER CASES
SHOULD BE RELATED PURSUANT TO
CIVIL L.R. 3-12 AND 7-11**

**DEPENDABLE COMPONENT SUPPLY
CORP.,**

Plaintiff, and on behalf of all
others similarly situated,

v.

PANASONIC CORPORATION., et al.,

Defendants.

Case No. 3:14-cv-03300-JD

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that, pursuant to Civil Local Rules 3-12 and 7-11, Plaintiffs Chip-Tech, Ltd. ("Chip-Tech") and Dependable Component Supply Corp. ("Dependable") submit this

administrative motion requesting the Court to consider whether *eIQ Energy, Inc. v. AVX Corporation et al.*, Case No. 3:14-cv-04123-PSG (the “*eIQ Energy Action*”), filed in this District on September 11, 2014, should be related to four previously-filed and currently pending actions—*Chip-Tech, Ltd. v. Panasonic Corporation, et al.*, Case No. 3:14-cv-03264-JD, filed July 18, 2014 (the “*Chip-Tech Action*”); *Dependable Component Supply Corp. v. Panasonic Corporation, et al.*, Case No. 3:14-cv-03300-JD, filed July 22, 2014 (the “*Dependable Action*”); *Schuten Electronics Inc. v. AVX Corporation et al.*, Case No. 3:14-cv-03698-JD, filed August 14, 2014 (the “*Schuten Action*”); and *Ellis et al. v. Panasonic Corporation et al.*, Case No. 3:14-cv-03815-JD, filed August 21, 2014 (the “*Ellis Action*”). On August 14, 2014, this Court consolidated the *Chip-Tech Action* and the *Dependable Action* for pretrial purposes (Order re Consolidation and Responses to Complaint, Dkt. 65) (together, the “*Consolidated Capacitors Antitrust Actions*”).

Civil Local Rule 3-12(a) provides that actions are related when (1) the actions concern substantially the same parties, property, transaction or event; and (2) it appears likely that there will be an unduly burdensome duplication of labor and expense or conflicting results if the cases are conducted before different judges.

The *eIQ Energy Action* should be related to the *Consolidated Capacitors Antitrust Actions* because these actions together readily meet the criteria for relation set forth above. The paramount consideration here is that the *eIQ Energy Action* and the *Consolidated Capacitors Antitrust Actions* concern the same “transaction or event” because they seek redress for the same price-fixing cartel in the global market for capacitors. The *eIQ Energy Action* cites the same governmental investigations, carried out by the exact same six globally-dispersed governmental antitrust regulators, previously identified in the *Consolidated Capacitors Antitrust Actions*. It is therefore evident that these lawsuits do not concern distinct transactions or events in the form of separate global antitrust conspiracies. Indeed, the essential similarity of the allegations is the reason that coordinated management of these related cases will serve to prevent “unduly burdensome duplication of labor and expense or conflicting results.”

Coordinated management will create additional efficiencies because the *eIQ Energy Action* is now pending in the Northern District of California. Recent discussions among counsel representing plaintiffs in all pending cases have produced a consensus to centralize all cases in this Court. On September 11, 2014, *eIQ Energy* dismissed without prejudice its action in the District of New Jersey and re-filed its case

in this Court with the intention that the various cases should be coordinated in this District. On September 12, 2014, eIQ Energy notified the Panel of its dismissal and re-filing of its case, withdrew its Response brief opposing coordination in this Court, and requested that the Panel dismiss the proceeding on the basis that all the actions at issue are now pending before this Court. These activities further demonstrate the relation between the *eIQ Energy* Action and the *Consolidated Capacitors Antitrust* Actions and the efficiencies to be attained through their coordinated management.

In consideration of the foregoing, Plaintiffs Chip-Tech and Dependable respectfully request that the Court enter an Order finding the *eIQ* Action related to the *Consolidated Capacitors Antitrust* Actions.

Dated: September 15, 2014

Respectfully submitted,

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By: /s/ Joseph R. Saveri
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CERTIFICATE OF SERVICE

I am over 18 years of age and am not a party to these proceedings or any of the actions that are the subject of these proceedings. My business address is 505 Montgomery Street, Suite 625, San Francisco, CA 94111.

I am readily familiar with Joseph Saveri Law Firm's practice for collection and processing of documents for mailing with the United States Postal Service, and that practice is that the documents are deposited with the United States Postal Service with postage fully prepaid the same day as the day of collection in the ordinary course of business.

I am also readily familiar with Joseph Saveri Law Firm's practice for collection and processing of documents for service via e-mail, and that practice is that the documents are attached to an e-mail and sent to the recipient's e-mail account the same day as the date listed on the Certificate of Service.

This certificate of service concerns the following document(s):

PLAINTIFFS' ADMINISTRATIVE MOTION TO CONSIDER WHETHER CASES SHOULD BE RELATED PURSUANT TO CIVIL L.R. 3-12 AND 7-11

Pursuant to Civil Local Rule 5-1(h)(1), on Monday, September 15, 2014, I served a true and correct copy of the document(s) on the following parties through the Electronic Court Filings system maintained by the United States District Court for the Northern District of California and via e-mail:

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